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MEMORANDUM FOR: Deputy Director of Central Intelligence

SUBJECT: Request from the Department of Defense Concerning
Certain Portions of SNIE 11-14-61

1. This memorandum contains a recommendation in paragraph ____ for the approval of the Deputy Director of Central Intelligence.
2. The Office of the General Counsel, Department of Defense, has been in touch with this Office concerning the Department's report to the Joint Committee on Atomic Energy on its investigation of an unauthorized disclosure of classified information which appeared in the Voss/Fryklund article. (The CIA investigative report on this subject was forwarded to you on 18 April 1962 and is attached as Tab A.) Mr. Frank A. Bartimo, Assistant General Counsel, (Manpower), OSD, will meet informally with Mr. John Conway, Assistant Director of the Committee staff, on 20 July to discuss further DOD's findings. (Mr. Bartimo has previously appeared before the Committee on this report and the Committee has specifically asked DOD for that portion of SNIE 11-14-61 which bears on this subject.) Three versions of this SNIE were prepared: one a Special Intelligence version, another a Top Secret RD version and the third a Top Secret FRD version. DOD is working with the Top Secret FRD version. (copy attached as Tab B.)

OGC Has Reviewed

3. The DOD originally asked this Agency's permission to give to the Committee sections 19 through 23 of the FRD estimate. However, they have subsequently suggested that they merely show to Conway an extract of these sections. It should be pointed out that while this estimate on military posture has not been given to the Committee, the Committee has been briefed by the Agency on the substance of sections 19 through 23. Since the substance of these sections is a matter of legitimate interest to the Committee^{and} has already been given to them, the question becomes a technical one of whether CIA should permit DOD to give the Joint Committee a portion of an estimate which in its entirety is not a matter of legitimate Committee interest. The Committee is now interested in wording, not language.

4. Another factor involved in this situation is the President's letter to the Joint Committee (Tab C) indicating that Mr. McNaughton, General Counsel to the Secretary of Defense, was familiar with this matter and would provide the Committee with such information "as is appropriate." Defense is concerned that a refusal by Defense to produce this extract will result in a demand from the Committee for the entire estimate and ultimately involve an exercise of Executive privilege. While I am not in favor of having the Joint Committee staff gradually chip their way into intelligence estimates which are not concerned solely with atomic energy matters, after weighing all the factors involved, I recommend that you approve Defense's showing

Mr. Conway an extract of sections 19 through 23 of SNIE 11-14-61. It should be made clear, however, that this may not prove to be satisfactory with the Committee in which case a decision will have to be made on whether these sections of the estimate will be given the Committee.

Lawrence R. Houston
General Counsel

MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

Tab A, B, C

TRANSMITTAL SLIP		DATE
		7/20/62
TO: <u>SCAE file</u>		
ROOM NO.	BUILDING	
REMARKS:		
<p>This memo not sent. LPH dis- cussed w/ DDCI who agreed to let DOD show SCAE secs. 14-23 of SNIE 11-14-61 (see Journal of 7/19/62)</p>		
FROM: <u>President's letter attached</u>		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

GPO : 1957-O-439445

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